

DENIED.



UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

TERRY MINNIS, et al.,

vs.

SUMNER COUNTY BOARD OF
EDUCATION, et al.

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Civil No. 3:10-0075

Judge Wiseman

Magistrate Judge Griffin

JURY DEMAND

JOINT MOTION

Come now **Defendants, Sumner County Board of Education and Donna Weidenbenner**, pursuant to Rule 60 of the Federal Rules of Civil Procedure and respectfully move the Court to **Set Aside the Orders Granting** (Weidenbenner Document 84, Sumner Co Board of Education Document 85) **the Plaintiffs' Motion for Extension of Time to Respond to Defendant Sumner County Board of Education's Motion for Summary Judgment** (Document 83) **and Plaintiffs' Motion for Extension of Time to Respond to Defendant Donna Weidenbenner's Motion for Summary Judgment** (Document 84).

In support of said Motion, your movants would respectfully show to the Court that Plaintiffs were seeking additional time within which to respond (until February 18, 2011) to Defendants' Motions for Summary Judgment and cited "Preparing for Scheduled Appearances in Initial Case Management Conferences" in two cases and "Equal Employment Opportunity Commission Hearing" and concluded that they "do not have the opportunity and sufficient time needed to properly respond."

The Plaintiffs misrepresented material fact to the Court in that Plaintiffs' counsel stated in each Motion that "Plaintiffs' response is currently due February 3, 2011."

Defendants assert that **Plaintiffs incorrectly conveyed the deadline for their response**